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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,297	04/08/2004	Takao Yamamoto	393032044900	1122

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EXAMINER	
EL CHANTI, HUSSEIN A	

ART UNIT	PAPER NUMBER
2157	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/821,297	YAMAMOTO, TAKAO	
	Examiner	Art Unit	
	HUSSEIN A. EL CHANTI	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 April 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1 and 4-6* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1 and 4-6* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to amendment received on April 14, 2008. Claims 2 and 3 were canceled. Claims 1 and 4-6 were amended. Claims 1 and 4-6 are pending examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by North et al., U.S. Patent No. 6,505,245 (referred to hereafter as North).

As to claim 1, North teaches a data conversion rule switching device for switching data conversion rules in accordance with a target device in order to respectively control a plurality of target devices in response to operation of a plurality of controls provided outside or inside the data conversion rule switching device (see col. 5 lines 41-55, a network console device connected to a plurality of devices to be monitored and controlled), said data conversion rule switching device comprising:

a plurality of data communication ports each of which is for communicating with one of said plurality of software activated in said target device and transmitting operation data corresponding to operation of the plurality of controls and generated in response to the operation of said one of the plurality of software (see col. 6 lines 26-39

and fig. 2-3 the management terminal is connected to a plurality of devices using I/O ports);

an assignor for assigning the plurality of data communication ports one by one to each of the plurality of software, respectively (see col. 7 lines 17-25 and col. 10 lines 37-59, each of the ports 46-1 to 46-n of the management terminal is assigned to one device 26-1 to 26-n);

a setter for setting one data conversion rule suitable for control of the software assigned to the data communication port, for each of the plurality of data communication ports, according to an instruction from a user, wherein every data conversion rule set for the data communications port is different from each other; (see col. 6 lines 40-62, each of the actions monitored and received from the managed device has a series of actions as a response from the management device, wherein each of the managed device has an interface "software" for communicating with the selected ports);

a selector for selecting a desired data communication port from among the plurality of data communication ports, according to an instruction from a user (see col. 6 lines 40-62, the management terminal determines a receiver device for the data to be transmitted and selects a port accordingly);

a converter for converting operation data corresponding to operation of the plurality of controls and generated in response to the operation in accordance with the data conversion rule set for the selected data communication port (see col. 9 lines 55-

col. 10 lines 11, the event detection module determine an event response for a detected event for the managed device); and

a sender for sending the converted operation data to the selected data communication port (see col. 9 lines 55-col. 10 lines 11, the operations are sent by the event detection module to the managed device).

As to claim 4, North teaches a data conversion rule switching device according to claim 1, wherein the respective target devices can be connected to the data conversion rule switching device via a physically single cable, and the converted operation data is transmitted to the respective target devices via the cable (see fig. 2-3, each device 26-1 to 26-n is connected through port 46-1 to 46-n).

As to claim 5, North teaches a method of switching between a plurality of data conversion rules in accordance with a target device in order to respectively control a plurality of target devices in response to operation of a plurality of controls (see abstract), said method comprising:

a step of externally connecting the respective target devices to a switching device and assigning a plurality of data communication ports one by one to the respective target devices for transmitting operation data corresponding to operation of the plurality of controls and generated in response to the operation to the plurality of the target devices (see col. 6 lines 26-39 and fig. 2-3 the management terminal is connected to a plurality of devices using I/O ports);

a step of setting a data conversion rule suitable for control of the target device assigned to the data communication port, for each of the plurality of data communication ports; a step of selecting a desired data communication port from among the plurality of data communication ports (see col. 6 lines 40-62, each of the actions monitored and received from the managed device has a series of actions as a response from the management device);

a step of converting operation data corresponding to operation of the plurality of controls and generated in response to the operation in accordance with the data conversion rule set for the selected data communication port (see col. 9 lines 55-col. 10 lines 11, the event detection module determine an event response for a detected event for the managed device); and

a step of sending the converted operation data to the selected data communication port (see col. 9 lines 55-col. 10 lines 11, the operations are sent by the event detection module to the managed device).

As to claim 6, North teaches a computer program containing program instructions executable by a computer and causing said computer to execute:

a process of assigning a plurality of data communication ports to which target devices are externally connected, to respective target devices one by one for transmitting operation data corresponding to operation of the plurality of controls and generated in response to the operation to the target devices (see col. 6 lines 26-39 and fig. 2-3 the management terminal is connected to a plurality of devices using I/O ports);

a process of setting a data conversion rule suitable for control of the target device assigned to the data communication port, for each of the plurality of data communication ports; a process of selecting a desired data communication port from among the plurality of data communication ports (see col. 6 lines 40-62, each of the actions monitored and received from the managed device has a series of actions as a response from the management device);

a process of converting operation data corresponding to operation of the plurality of controls and generated in response to the operation in accordance with the data conversion rule set for the selected data communication port (see col. 9 lines 55-col. 10 lines 11, the event detection module determine an event response for a detected event for the managed device); and

a process of sending the converted operation data to the selected data communication port (see col. 9 lines 55-col. 10 lines 11, the operations are sent by the event detection module to the managed device).

Response to Arguments

3. Applicant is arguing North does not teach selecting a data communication port allows a user to control a target based on the operation data from a controller without having to consider switching the data conversion rule. This/These limitation(s) are not found in the claims. Claimed subject matter not the specification is the measure of the invention. Disclosure contained in the specification cannot be read into the claims for the purpose of avoiding prior art. In re Sporck, 55 CCPA 743, 386 F .2d 924, 155 USPQ

687 (1986); In re Self, 213 USPQ 1, 5 (CCPA 1982); In re Priest, 199 USPQ 11, 15 (CCPA 1978).

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUSSEIN A. EL CHANTI whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hussein Elchanti

July 1, 2008

/Ario Etienne/
Supervisory Patent Examiner, Art Unit 2157